FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL DECLARATIONS

RULE 63 (37 C.F. 63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION E UNITED STATES PATENT AND TRADEMARK OFFICE



DECLARATIONS IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) or an original, first and joint inventor (if plural names are listed below) or an original.

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BOX(ES)	ne specification of white	ich (<u>CHECK</u> applicable <u>B</u>	OX(ES))				
20,420,07	A. ☐ is attached here B. ☒ was filed or	February 1, 2001		J.S. Application No.	/		
→ &/·	→ C. ☐ was filed as	s PCT International A		. PCT//	on		
and (if Applica	ible to U.S. or PCT ap	plication) was amended of	on				
above. I acknow foreign priority b	wledge the duty to disclos penefits under 35 U.S.C.	inderstand the contents of the se all information known to m 119(a)-(d) or 365(b) of any fo	ne to be material to preign application(s)	patentability as defined in 3 I for patent or inventor's cer	37 C.F.R. 1.56. tificate or 365	Except as no	oted below, I hereby cl
Application which certificate, or PC	ch designated at least on CT Intemational Applicati	e other country than the Unite on, filed by me or my assigned ad, or (2) if no priority claimed	ed States, listed bel se disclosing the su	low and have also identified bject matter claimed in this	d below any for	eign application	on for patent or invent
PRIOR FORE	IGN APPLICATION(S	<u>3)</u>		Date first Laid-	Date Pat	ented	
Number	Country	Day/MONTH/Ye	ear Filed	open or Published	or G	ranted <u>f</u>	Priority NOT Clain
Except as noted	below, I hereby claim do	ox at bottom and continue omestic priority benefit under	35 U.S.C. 119(e) o	r 120 and/or 365(c) of the i	ndicated Unite	d States applic	cations listed below a
application is in	addition to that disclosed	ve or below and, if this is a co d in such prior applications, I available between the filing o	acknowledge the du	uty to disclose all information	n known to me	e to be materia	al to patentability as
		PROVISIONAL AND/OR			<u>Status</u>		Priority NOT Claim
Application N 60/179,573	No. (series code/seria	al no.) <u>Day/MON</u> 01/02/00	NTH/Year Filed	pending,	abandoned,	<u>patented</u>	
00/1/9,5/5		01/02/00					
further that thes	e statements were made	e herein of my own knowledg with the knowledge that will	ful false statements	and the like so made are p	unishable by fi	ne or imprisor	nment, or both, under
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Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b) PATENT AND TRADEMARK CASES - RULES OF PRACTICE DUTY OF DISCLOSURE

(a) ... Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

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^{*} Six months for Design Applications (35 U.S.C. 172).